

[2nd February 1934]

II.—AMENDMENTS TO THE STANDING ORDERS OF THE MADRAS LEGISLATIVE COUNCIL.

* The hon. the PRESIDENT:—"I have to inform the House that the following six gentlemen were nominated for election to the Select Committee to consider the amendments to Standing Orders:—

- (1) The hon. Khan Bahadur Sir Mahomed Usman Sahib Bahadur.
- (2) Dr. P. Subbarayan.
- (3) The hon. the Raja of Bobbili.
- (4) The hon. Sir Hopetoun Stokes.
- (5) Mr. J. K. Metherell.
- (6) Diwan Bahadur B. Muniswami Nayudu.

"As the number of candidates nominated is equal to the number of vacancies to be filled, namely, six, I hereby declare the above-mentioned Gentlemen to be duly elected under Regulation II (4) of the regulations for the holding of elections by means of the single transferable vote.

"Under Standing Order No. 80, the Deputy President and the Advocate-General are ex-officio members of the Select Committee, and I have to nominate a Chairman of the Council to serve on the Committee. I hereby nominate Mr. M. A. Muthiah Chettiyar as a member of the Committee."

IV.—A BILL TO AMEND THE MADRAS LOCAL BOARDS ACT, 1920, AND THE MADRAS ELEMENTARY EDUCATION ACT, 1920, FOR CERTAIN PURPOSES (BILL No. 2 OF 1934).

* The hon. the PRESIDENT:—"Before we proceed with the discussion of the Bill, I wish to inform the House that there are several hon. Members who are anxious to speak on this Bill, and every hon. Member who is given a chance to speak must take as little time as he can, so as to accommodate those that follow and satisfy as many Members as possible who are anxious to speak."

Sriman M. G. PATNAIK Mahasayo (continued):—"Sir, as I was saying this morning, the main objection to the motion made for referring this Bill to the Select Committee was, so far as I know, that the many questions involved in the Bill would not be allowed to be discussed in the Select Committee, if objection is not taken to certain provisions even at this stage. The first of them is, what is to become of the Village Development Fund? Of course that should not be subordinated to the general finances of the district board. That is the opinion that is held by some hon. Members. It is said that if the Bill goes to the Select Committee without any reservation being made for the discussion of that question by the Select Committee, Members will be precluded from raising that question in the Committee. If the hon. the Chief Minister

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will now state that such questions may be discussed in the Committee, I think there can be no difficulty.

“The second question relates to finance. People still have to be satisfied on the point whether the abolition of the taluk boards would lead to any substantial retrenchment in the expenditure of the local bodies as a whole. That is a very important question; Government have of course given some materials, but I do not know if those materials are sufficient. If the Select Committee is satisfied that substantial savings can be made if the taluk boards are abolished, there will again be no further difficulty on this matter too.

“Then we come to the third important question, namely, the appointment of special officers, for instance, the educational officer for the management of elementary schools. The main point for decision is whether the district board will have to manage the schools or whether the management will have to be transferred to the district Educational Council. If that question also is allowed to be considered by the Committee, another objection that has been raised will be removed. Therefore, Sir, on these three important points I think the hon. the Chief Minister may make a statement that these questions will be left open for discussion by the Select Committee. If that is done, the amendments suggesting a circulation of the Bill or the appointment of a Committee of enquiry, may not be necessary at all.

“Another important factor that we have to bear in mind in reference to this subject is that no further taxation should be resorted to and no tolls should be restored, as was suggested by some of the presidents of district boards like Mr. Shetty or even by my Friend from Madras, Mr. Hameed Khan. These Gentlemen suggested that the taluk boards should be retained, even if it be necessary to re-impose the tolls. I strongly object to that. There should be no further taxation. People are hard hit on account of the fall in prices and the economic distress to such an extent that any further taxation will fall very heavily on them and will be an unbearable burden. Therefore, Sir, such a course should not be adopted. Short of that, anything might be done; whether the taluk boards are going to function for the time being as taluk boards or not, at least till better times come, some device may be adopted for carrying on the work. One such device was referred to by Mr. Muniswami Nayudu, i.e., representatives of panchayats can form themselves into committees and they, along with the presidents of local boards, can carry on the work. Some such device may be adopted to minimize the cost and at the same time to carry on the work effectively. In any case, Sir, further taxation should not be resorted to. These are the suggestions, Sir, which I wanted to make.”

* Mr. W. K. M. LANGLEY:—“Mr. President, Sir, on behalf of the European Group with which I am connected, I have great pleasure in strongly supporting the proposals which are contained in the Bill brought forward by the hon. the Chief Minister; and I do so with even

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greater pleasure because I firmly believe that these proposals, if carried out in a careful and practical manner, may prove to be more beneficial to local institutions in this Presidency, than probably any other measure in connexion with local self-government administration, that has been introduced during the life of the present Ministry. At the same time, Sir, I should like to congratulate the hon. the Chief Minister on his statesmanship and courage in bringing forward these proposals in the face, obviously, of very strong vested interests and in the face of strong and well-organized opposition. The principal reason why we support these proposals is that they will, in our opinion, simplify the local self-government administration of this Presidency. In the course of the debate, and especially in the course of the earlier speeches on the first day, I was expecting to hear some detailed discussion on the subject of panchayats, seeing that this Bill is in effect a proposal which I hope will have the effect of greatly improving the efficiency and the general working of the panchayats which I believe are bodies which have the strong support of everybody on both sides of this House. And yet, Sir, in speech after speech, I heard nothing but strong denunciations of the abolition of taluk boards; in other words, there was not a word said on the subject of how panchayats might be improved by this Bill; or how this Bill was going to affect the working of these panchayats at all. In fact, Sir, it was Sir A. P. Patro this morning who first really devoted some part of his remarks to the question of panchayats and the method by which this Bill may improve their position. It is not very frequently, Sir, that Sir A. P. Patro and myself entirely agree on any question that comes before this House; but on this occasion, I can only say that I am in complete agreement with Sir A. P. Patro. In fact, it would appear from the course of the debate, that we are the only two democrats in this House. I do quite seriously and honestly believe that if you create, either for good or for ill, more than 5,000 panchayats in the Province, and I presume this Bill will have the effect of creating more in due course, then it seems to me that it is most desirable that these panchayats should be got into proper working order at the earliest possible moment, so that, as Sir Patro remarked this morning, the local self-government administration of this Presidency may be based on a really sound and solid foundation, and the people themselves, i.e., the people actually in the villages, may be able to understand the rudiments of local self-government.

Now, Sir, the principal objection to this Bill at the earlier stages and particularly in the speeches of my Friends, Mr. Sami Venkatachalam Chetti and Mr. Shetty, seemed to be on the financial question. My Friend, Mr. Venkatachalam Chetti in particular, introduced the bogey of the Motor Taxation Bill. I confess I really fail to see what connexion the Motor Taxation Bill or any other Bill which is purely a money Bill of that kind, has to do with these particular proposals. The Motor Taxation Bill was obviously a question of finance, and unfortunately the financial details had not been worked out as carefully as they might have been and so resulted in a great loss to the

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local boards. But in respect of this particular Bill, who can say honestly that this Bill can possibly in any way add to the expenses of the local self-governing institutions in this Presidency? On the other hand, Sir, it seems to me clearly a mere matter of arithmetic to find out definitely that it must inevitably improve the finances of the local bodies.

“The taluk boards, at any rate those with which I am acquainted, 3-15
are exceedingly top-heavy in regard to their expenditure and their P.m.
removal does not mean the removal of money spent on services to a very large extent, but a great saving of money spent on meetings and travelling expenses and all such superfluous expenses in the case of bodies working on a very small budget. I can see absolutely no ground for any fears on the subject of financial stringency, so that, in that respect, I for one am not going to be frightened by my hon. Friend, Mr. Venkatachalam Chetti, in his capacity as Bogey man.

“Now, as regards the practical working of this Bill, there are one or two points on which I would like just to touch briefly. I do think that Government will have to be extremely careful in the working of these panchayats and see that they do not become homes of faction and that they are given every chance to carry on their work in a proper manner. In particular the most important point in that respect will be the method by which elections take place. I believe in many cases, at present, elections for panchayats are carried out by show of hands. That is an extremely dangerous system as, in the case of such bodies, it is obvious that this would lead to voting at the bidding of the majority party. Obviously also ordinary election by ballot would lead to great abuses in the early stages, such as impersonation and an enormous crop of election petitions. If you consider the number of 5,000 panchayats, the number of election petitions which might have to be tried would be very large. Therefore, I venture to suggest that selection of members to these panchayats should, if possible, be by nomination and that the power of recommending names should be given to Panchayat Inspection Officers and that such officers should be given extremely wide powers. They should not necessarily be told that they must in each place recommend so many of each community. For example, there is no reason why members of the depressed classes should be selected simply because of their being depressed.

“As I have remarked at the beginning of my speech, I am afraid, the hon. the Chief Minister is faced with very severe attacks by vested interests in connexion with this Bill. I am afraid that is inevitable. I was reading a diary a few days back which was almost entirely devoted to the subject of Mr. Lloyd George, wherein it was noted that in the course of a conversation one day, Mr. Lloyd George remarked that whenever he came up against vested interests, it was exactly like cutting down some great tree which had outlived its usefulness which when it was cut down disclosed an enormous number of creatures which had been living under its protection. The hon. the Chief Minister must

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take his courage in his hands and I sincerely hope he will not be deterred in his duty by the opposition of any vested interest. I do not see why any taluk board president, or any members of taluk boards for that matter, should be allowed to stand in the way of what we believe this to be a measure for improving the local self-government administration."

* Dr. P. SUBBARAYAN:—"Mr. President, the hon. the Chief Minister when introducing this measure referred to past history and the steps taken with regard to local self-governing institutions in this province. I do not want to follow him in going back further than the year 1926. Hon. Members who were Members of the House in the year 1926 will remember that the then Chief Minister, who was in charge of local Self-Government—the late Raja of Panagal—introduced a measure to amend both the District Municipalities and the Local Boards Acts, providing for direct election to the district boards. But that measure did not go beyond the stage of introduction, because there was a change of Ministry at the end of 1926 and when the change of Ministry took place, I had the honour of holding the port-folio of Local Self-Government from the year 1926 to 1930. If hon. Members will remember, even though I took on myself the task of amending both those measures as public opinion demanded it, as over seven years had elapsed since Sir P. Rajagopalachari's original Local Boards Act of 1920 was passed, Mr. N. Gopalaswami Ayyangar who was then the Inspector of Local Boards drafted a measure in which he suggested that the taluk boards might go out altogether, that village panchayats might be the unit of Local Self-Government and that district boards might be the next step in the order of local self-governing institutions. That measure was considered and, as the hon. the Chief Minister mentioned, that measure was dropped for reasons that he did not know. I am in a position to give reasons why that measure was dropped. The fact was that as I was not conversant with the working of local bodies I consulted some of the most prominent district board presidents of the time including my hon. Friend, Mr. Pannirselvam, who was then the president of the Tanjore District Board. Most of the gentlemen who assembled at the time felt that it was too drastic a step to take, especially when there were not enough panchayats in the Presidency who would take care of the rural interests directly; and that was the reason why that Bill had to be dropped. I held also a conference of Members of the Legislative Council who had experience of local self-governing institutions including the present Minister for Education who was vehement in his opposition to the abolition of taluk boards. Evidently three years on the Treasury Bench have changed his mind, but I am glad to find that my hon. Friend, Diwan Bahadur Muniswami Nayudu, is still of the opinion that he held in the year 1928-29. The point he made in favour of the retention of taluk boards—I am glad to say he was the chief protagonist of the retention of taluk boards—I believe holds good to-day. His argument was that as there were not enough panchayats to look after rural interests, till a good number of panchayats were developed in localities to whom

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could be handed over elementary education, rural sanitation and rural communications, there should be an intermediary body between the district board and the panchayat board who would take care of such local interests. I found that argument valid and that was the reason why taluk boards were retained in the Bill which was introduced in the year 1930. They went further than that even. At the time, I had no intention of touching the taluk boards as they stood then, but both my hon. Friends, Mr. Muniswami Nayudu and the present Minister for Education, were saying that a single taluk board for every taluk would be a better way of solving the difficulty than retaining a big divisional taluk board for two taluks. (The hon. Diwan Bahadur S. Kumaraswami Reddiyar and Diwan Bahadur B. Muniswami Nayudu, were seen talking in low tone.) I think at least I heard the hon. the Minister for Education say he did not support it. I believe he did; and if my memory is wrong, he may correct me openly.

“ Mr. President, even if you look at institutions in England—my hon. Friend, Mr. Langley, thought that he and Sir Patro were the only democrats in this House and I am glad I do not find a place in this select body—even in England from which democratic country Mr. Langley hails, they have an institution called the Rural District Council which is a sort of intermediary body between the County Council and the Parish Council. The Rural District Council co-ordinates the work of the Parish Councils. Therefore, I do not think we shall be anti-democratic if we on this side of the House claim that the taluk board should be retained. Of course, hon. Gentlemen on the other side may ask ‘ What is your remedy for the present financial plight? ’ I admit the situation is bad, but at the same time, I would remind them that the situation is thus, not because of the existence of the taluk boards—because every institution including the Imperial Government finds itself in the position of working with deficits in its budget, and it is really due to the general economic depression in the world—not merely because taluk boards were created or institutions have been multiplied. The hon. the Chief Minister gave reasons and also stated that no doubt some of the employees of the taluk boards would be thrown out and in these days of unemployment it is certainly hard, but he proposes to take these people in by slow stages. My reply to that is that, even though he may be able to take them in, in course of time, still he will be throwing on the streets quite a large number of them without any employment at all and I think it is very hard luck on them because they expected when they were employed to these local self-governing institutions that they had some definite fixed appointments and it would be hard luck on them to be thrown out at a moment’s notice; and as my hon. Friend, Mr. Muniswami Nayudu said, I think, the time has not come for the abolition of the taluk boards, because even during the last four years, I do not think panchayats have been organized in such a manner as to have them in all rural areas, so that the functions of the taluk boards could be easily transferred to them. The hon. the Chief Minister has no doubt provided

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for the bifurcation of district boards and thereby feels that he will decentralize the work of the district boards and that they will stand in the place of taluk boards in regard to elementary education and sanitation which really affect the rural people, who, instead of being attended to by a president who is near-by and who can be approached easily in taluk headquarters, will have to go to the presidents of district boards if the district Boards are bifurcated, before they can get anything done with regard to their rural wants. I feel, Mr. President, that perhaps if my hon. Friend Mr. Venkatachalam Chetti's motion is accepted, and if the hon. the Chief Minister will consider the proposals in a conference of those interested in the working of local self-governing institutions, we might find a method by which the present financial stringency might be got over.

3-30
p.m.

"As my hon. Friend Mr. Muniswami Nayudu further pointed out, there is also this danger, that is with regard to those members of the local bodies exceeding about 200 who were training a number of people belonging to the minority communities in the art of local self-government; when these institutions go, you will be really taking away from them these valuable lessons which they have an opportunity of learning. I, therefore, feel that is another argument for the retention of an intermediary body. I do not know, Mr. President, why the hon. Gentleman, the Secretary for Local Self-Government, Mr. Conran Smith, thought that my Friend, the Raja of Khallikote, talked with his tongue in his cheek. My hon. Friend has had large experience as president of the Ganjam District Board for the last twelve years, and I believe, he was giving us the benefit of his experience, and he feels that it is a wrong step to abolish the taluk boards. I feel the hon. Gentleman, the Secretary for Local Self-Government evidently was annoyed when the hon. Gentleman talked against his pet proposal of the abolition of taluk boards and that was perhaps the reason . . ."

MR. E. CONRAN SMITH:—"On a point of personal explanation, Sir. My position is not that."

DR. P. SUBBARAYAN:—"Whatever his explanation may be, the impression left on my mind is that. Mr. President, therefore I thought it ought to be the duty of every hon. Member of this House to consider deeply before he gives his vote on the question of the abolition of the taluk boards. I have no doubt, whatever, that Members coming from rural areas and knowing the wants of the rural areas will vote against their abolition not because their vested interests are being destroyed as it was pointed out, but because a valuable instrument of local self-government is abolished but because they feel that it is not a right step to take. I hope by their vote they would show that an intermediary board should remain in order to co-ordinate the work of the panchayats themselves."

* RAJA OF KHALLIKOTE:—"Mr. President, on a point of personal explanation. I was saying that the old taluk boards were really useful

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institutions. I was only trying to point out that the new taluk boards under the new Act are useless bodies as their finances are crippled and most of them have large deficits." (Here, hear.)

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Sir, this is a Bill of a far-reaching character and I think it is agitating the minds of those who have been in the various boards. For my part, Sir, I would like to confine myself to two important aspects connected with the provisions of this Bill touching the interests of the depressed classes. That is the education side, undertaken by taluk boards and representation of the depressed classes in taluk boards. The Bill of 1920 as amended in 1930, provides for compulsory reservation of seats in taluk boards for the depressed classes. Section 48 (2) clearly says that the circles shall return in addition to members for such reserved seats one or more members for non-reserved seats, and it is further made clear that the Local Government can determine the wards in which the seats reserved for Adi-Dravidas shall be set apart. If the taluk boards are abolished, the depressed classes and the other minority communities may or may not enjoy that amount of representation in the panchayats. I am afraid that we shall not have adequate representation in panchayats. In this connexion, my hon. Friends, Diwan Bahadur Muniswami Nayudu and Dr. Subbarayan, have clearly spoken about the representation of the depressed classes. But what I would urge on the Select Committee is that necessary provision must be made so that communities like the depressed classes may enjoy the same amount of representation in the panchayats. Taking the other aspect, so far as the matter of education of the depressed classes, is concerned. I feel that it is better that the taluk boards are replaced earlier. When my hon. Friend, Dr. Subbarayan, was the Chief Minister to the Government of Madras, he thought that the education of the depressed classes would be well served if it was in the hands of the local boards. The hon. the Home Member agreed to the proposal and a formal conference was held in which myself and Swami Sahajanandam opposed that view. But unfortunately, it was thrust on us and the education of the depressed classes was left in the hands of the local boards. Several hundreds of labour schools were taken away from the Labour Department and given to the taluk boards. There may be a few taluk boards in this Presidency that really encourage the education of the depressed classes. But, most of the taluk boards happen to be apathetic towards the education of the depressed classes. Teachers of my community were given a bad treatment and even the putting on of coats were found fault with by the members of the taluk boards. What is the result to-day? The education of the depressed classes has been shattered. Yesterday on reading the report of the Director of Public Instruction I clearly pointed out the scanty progress made in the education of depressed class girls. Education, so long as it was with the Labour Department, surely progressed. But when it went to the taluk boards, it greatly suffered. I hope the Select Committee will take proper steps so that the schools

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that were taken away from the Labour Department might be given back to that department and so that our education might not suffer. Going through the various reasons which made the hon. the Chief Minister to bring forward a Bill of this sort for the abolition of taluk boards, I think the most important one is the finances of the local bodies. Out of 208 taluk boards, even 90 are not able to balance their budgets. It clearly shows that at a time like this when district boards themselves are suffering in financial canker, it will not be advisable to allow subordinate boards to suffer this difficulty. From that point of view, it is a step in the right direction to bring this Bill for the abolition of the taluk boards. Sir, one other provision in this Bill provides for the creation of executive officers. When a Bill of a similar nature was brought before the House, for the introduction of executive officers in municipalities, myself and my hon. Friend, Mr. Davis, opposed the idea. But it was made compulsory on the part of the municipalities whose income exceeded 3 lakhs to accept commissioners. But what I would appeal to the Select Committee is that where the executive officers are not wanted by district boards necessary provisions should be made not to thrust such officers on those boards which are working satisfactorily. Sir, coming from the Nilgiris which is a district with no taluk boards, I may say for the information of the House that there will be no such agitation when the taluk boards are abolished. Two years ago, the Nilgiris District Board resolved to have taluk boards. But, thanks to Diwan Bahadur N. Gopalswami Ayyangar who then happened to be the inspector of local boards, he advised us to straightaway go to the creation of panchayats whereupon we have created several panchayats. As a member of the district board of the Nilgiris for over twelve years, I may tell you that the district board and the panchayats work in unison and real progress has been maintained so far the rural progress is concerned. With these few observations, I support the motion."

* The hon. the PRESIDENT:—"Mr. Sami Venkatachalam Chetti may now reply."

MR. SAMI VENKATACHALAM CHETTI:—"The Raja of Bobbili may first give his reply."

* The hon. the PRESIDENT:—"The difficulty will arise like this. If the Raja of Bobbili were to reply now and Mr. Sami Venkatachalam Chetti were to reply afterwards, another opportunity may have to be given to the Raja of Bobbili for a further reply. To avoid that, I would advise this course."

MR. SAMI VENKATACHALAM CHETTI:—"I do not object to the hon. the Raja of Bobbili having a double chance, Sir, unless you think it is rather inconvenient; so far as I am concerned, I will be very glad if he gets a double chance."

* The hon. the PRESIDENT:—"The difficulty is that the Raja of Bobbili will take 20 or 25 minutes and we want to have the voting at

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about 4-30. Then the names of members to the Select Committee will have to be moved and there will not be sufficient time."

Mr. SAMI VENKATACHALAM CHETTI:—"You have introduced a debatable element as to whether it is necessary to go for voting at 4-30."

* The hon. the PRESIDENT:—"I thought that it was advisable to do so."

Mr. SAMI VENKATACHALAM CHETTI:—"I do not know, Sir, if in matters of legislation, it should rest with a single Member of the House to say that you might help in coming to a decision at a particular time. I do not know the intention of the other hon. Members. So far as I am concerned, I am ready either way."

* The hon. the PRESIDENT:—"I am equally ready. What I wish to point out is that several hon. Members have felt it advisable that the discussion should come to a close this evening. That is why I want to so arrange the time as to finish this Bill by about 4-30 p.m."

Diwan Bahadur B. MUNISWAMI NAYUDU:—"May I suggest that we have not yet had any Government reply?"

* The hon. the RAJA OF BOBBILI:—"Sir, I wish first to deal with the speech of my hon. Friend, Mr. Sami Venkatachalam Chetti, who moved an amendment to the effect that the consideration of the subject be deferred pending a report of an Enquiry Committee regarding the condition of the local bodies and its recommendations to improve and place them on a sound financial footing." 3-45 p.m.

"Recently, I find my hon. Friend, Mr. Sami Venkatachalam Chetti, has been particularly developing the art of moving dilatory motions and indulging in personal attacks. I do not propose to follow his example. I shall confine my remarks to the subject-matter of the motion under discussion. We are all very much indebted to him for the long history of the origin of local bodies in this Presidency which he has given. But, I am afraid, he has not realized how much conditions have changed in this Presidency since 1880. He conveniently avoids the grounds on which the Government have come to the decision to abolish the taluk boards, the chief of which are that with the development of panchayats, the taluk boards are being rapidly deprived of both their income as well as their functions and that for the further healthy growth and development of Local Self-Government in this province, at the stage we have now reached, these intermediate boards which have really outlived their usefulness and which have now become a drag on the finances of all local bodies should go. It is therefore not surprising that the system which was good in 1880 cannot be an ideal one in the changed conditions of the present day. Then, Mr. Sami Venkatachalam Chetti goes on to make several sweeping statements, but does not accept the financial calculations of Government which are based on actual facts and figures and are not guess work. He has no faith in the conclusions

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reached in the Secretariat and wants the Government to seek enlightenment from certain non-official sources which he does not mention. The Government proposals now embodied in the Bill with which we are dealing have been framed after the most careful consideration of the various alternatives available. I have had the benefit of the advice of experienced and responsible Government officials whose opinions are not colored by any political considerations and I have always had no hesitation in following their advice in preference to that of my hon. Friend and, as a Minister responsible to the electorate, I can claim to be in touch with public opinion; and I may state that I have no doubt whatsoever in thinking that my proposals have the support of a large body of public opinion in this province.

" Mr. Sami Venkatachalam Chetti stated that he has recently travelled over certain roads which have been taken over by a district board from a certain taluk board. From this experience he made the sweeping statement that the standard of taluk board roads is much higher than those of district board roads throughout the Presidency. He feels there is corruption everywhere in Government departments, in district boards, and in municipalities, but that only the taluk boards are free from this defect. (Laughter.) Then he indulged in the statement that this Bill is intended to satisfy the district board presidents in my party and that I have chosen to introduce this measure simply because no taluk board presidents are sitting on this side of the House. I believe, Sir, it is not necessary for me to deal with these arguments of my hon. Friend which are far divorced from facts. I have read and re-read the transcript of his speech and I have failed to find any constructive proposals, except the simple remedy that the Government should make good the deficits of bankrupt boards. It has now become the fashion to say that Government should reduce taxation and increase their expenditure. An actual examination and scrutiny of the budgets of the local bodies have proved beyond dispute that a large majority of the taluk boards have got permanent deficits. But I am afraid, whatever I might say, my hon. Friend is determined not to be convinced (Ministerial laughter), as he seems to have come to the definite conclusion that Government calculations are always wrong.

" He then goes on to paint a gloomy picture of the fate of the large number of taluk board employees. I need not repeat here what I have stated in the opening portion of my speech in introducing this Bill that the question of the future prospects and well-being of the taluk board employees deserves the most sympathetic consideration of the Government and that they are framing proposals to safeguard the interests of these employees to the fullest extent possible. In this connexion, I think Mr. Sami Venkatachalam Chetti mentioned that a certain taluk board employee has written to him a letter. I have received numerous such letters, but I did not think it would be necessary to make use of them. As, however, my hon. Friend has mentioned it, I shall read out

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a short extract from a memorial submitted to Government by the Local Board Employees' Provincial Association, Tanjore:—

'As people intimately connected with the administration of local boards, we have to express our sincere support to the measure which is proposed to be moved in the matter of the re-organization of local boards in this Province. Apart from its advantages to public interests, it would automatically result in the formation of district cadres which we have been agitating for through our association for the last twelve years and more.'

I think this will serve as an answer to the sweeping statements made by my hon. Friend.

'Other hon. Members also have spoken at length sympathizing with the future of these employees. I may say, Sir, Government yield place to none in their sympathy for the future of these employees; but as Government are for the time being responsible for the administration, in their view this is not the only question to be taken into consideration in coming to a decision on these matters.

'Now, coming to the remarks of my hon. Friend, Diwan Bahadur Muniswami Nayudu, whose authority to speak on problems of Local Self-Government I do not deny, and who, I am glad to acknowledge, has made a valuable contribution to this debate, I have carefully examined his criticism of the Government proposals and feel, subject to correction, that there are no fundamental differences between the two points of view. It appears to me to be possible to reconcile the two apparently conflicting views. I gather that his main objection is not to the abolition of the taluk boards, but that the Government proposals do not contain any scheme for co-ordinating the activities of the panchayats. I believe I am right in taking this view, because in his speech he goes on to make certain constructive proposals to attain these objects after the abolition of taluk boards. His idea, I believe, is to have a kind of federation or union of panchayats. It is no doubt true that the Government have discouraged in the past the formation of these unions for the simple reason that they did not wish to increase the existing hierarchy in the local bodies. With the abolition of taluk boards, conditions would have changed. I am sorry by an oversight I have omitted to mention in my opening speech that, in the new order of things, Government propose to constitute joint committees of panchayats for one or more revenue firkas to enable panchayats to embark on enterprises of common interest. Unless this proposal is given an extended trial, I am unable to commit Government to creating another kind of corporate local bodies with independent existence, financial resources and consequential expenditure on management and travelling allowances. It has not been found necessary to make any such provision in the present Bill, as the existing Act already empowers Government to create these committees. It will be a matter for decision in the Select Committee whether the three pies additional cess now proposed to be allotted to panchayats from the Village Development Fund should be allocated to these joint committees.

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“As regards the abolition of the Village Development Fund and crediting the three pies cess in non-panchayat areas to district boards, my hon. Friend is doubtful whether the interests of the rural parts will receive due consideration at the hands of the district boards. It is but right to credit these sources of income to the district board which is enjoined with the duties of maintaining the third-class roads serving the villages, rural dispensaries and rural water-supply schemes. In other words, the district boards will be responsible for performing the duties and functions of taluk boards. Further, if this expedient is considered to be of doubtful wisdom, it is open to the Select Committee to devise a suitable safeguard that not less than three pies of the land-cess income of the district board should be spent on rural areas.

“In this connexion, I invite the attention of hon. Members to the new section 27-A (2) (b) of clause 11 which states the number who shall be members of local boards and the number who may be outsiders. The intention of this amendment is to enable representatives of panchayats to be co-opted as members of the standing committees of district boards. It will therefore be seen that the Government are alive to the necessity of giving effective representation to panchayats. The district boards through the standing committees will be able to do more effective work than what the taluk boards have been able to achieve in the past.

“My hon. Friend, Mr. Sami Venkatachalam Chetti, wanted to know whether village panchayats exist in the United Provinces and how they are being worked. It is seen from the report on the working of the district boards in the United Provinces that there were 4,626 village authorities functioning in 1931-32. Thus the position will be the same as is now contemplated in the Government proposals. He has again expressed certain doubts as to the Government estimate of savings due to the abolition of taluk boards. Our figures are very conservative and the saving of 8.87 lakhs mentioned in the communiqué represents only 50 per cent of the expenditure of taluk boards on the general establishment of the existing taluk boards. We have not at all assumed that all the present expenditure of the taluk boards would be a saving to the district boards. If and when certain district boards are split up, it has been calculated that the extra establishment charges will be only 25 per cent more than now. It is thus not quite correct to say that on bifurcation the management charges would be doubled. I have also in this connexion to correct the impression that Government are taking power to bifurcate district boards. We are not doing anything of the sort now. The power to form a district board for any area is already there. Nor are we introducing any separate provision for compulsory bifurcation of all district boards. There is therefore no cause for any alarm that the Government are carrying out any hasty experiment. We have stated in the clearest terms that no district board would be bifurcated unless the separated boards are found to be financially self-supporting. I may also state that there is a Government Order which lays down that the cost of establishment should not exceed 3 per cent of the general revenues and we propose to strictly enforce this rule.

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"It will therefore be seen that there is no possibility of any establishment charges being doubled or even considerably increased in case it is found necessary to bifurcate district boards. As regards the other statement, that the provision of one district board engineer will double the cost of the engineering establishment, I have given the explanation already on the floor of this House; but in case I have not made the point clear, I wish to refer to the subject again. The work of the district board engineer will naturally be considerably reduced as a result of the splitting up of the district board, and he may be safely placed in charge of a small headquarters subdivision, in addition to his normal duties of supervision. An assistant engineer, on the average, now costs Rs. 15,000 with his establishment to the district board per annum, and it will be possible for each of the split up district boards to do away with one assistant engineer. The average pay of the district board engineers under the revised scale is Rs. 556. The scale of pay of assistant engineers vary with each district, but may be roughly taken as Rs. 300. The two split up boards will thus save Rs. 600 among themselves, but they have to pay a contribution of Rs. 556 towards the district board engineer. Therefore it may safely be assumed that there would be no additional cost either to the Government or to the district board as a result of this item. The work of the district health officers can be co-ordinated by the Director of Public Health, and we therefore do not propose to increase their number. As regards additional district panchayat officers, perhaps many hon. Members are not aware that many district boards employ numerous other officers to do the same work under different names, such as, assistant panchayat officers, panchayat supervisors and rural reconstruction officers. Even now some district boards have got four to six of these officers, and I believe, the North Arcot district has got one for each taluk. It will thus be seen that the Government proposals are not extravagant in this respect. Travelling allowance of presidents and members, etc., would not be more than what it is now, if district boards are split up. With smaller areas to be covered, smaller sums would be required for travelling allowance charges for individual presidents and members.

"I believe I have satisfactorily met the objections raised that the splitting up of the district boards would result in doubling the management charges. Nor do the Government proposals contemplate immediate splitting up of all district boards. I may also state that, according to the report of the special officer, there is scope for economy in the district boards by standardizing the establishment and scales of pay and reducing superfluous posts, especially in the district board engineer's offices by combining his office with that of the district board office.

"Now coming to the question of District Educational Officers, here again, in spite of my explanation the other day, some people are still

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entertaining doubts; and I wish once more to state that by this amending Bill, Government have no intention whatsoever of taking over the management and control of those schools from district boards. It is definitely and clearly intended that the District Educational Officers will be the servants of the district boards, and that their whole work will be under the control of the district boards. If other ways could be found of more economically managing the elementary and secondary schools, then there will be no necessity at all to appoint District Educational Officers to district boards.

"Turning now to the suggestions of Diwan Bahadur Ramachandra Rao, I am afraid his proposals cannot be accepted. Handing over elementary education to the district educational councils would mean the creation of a parallel body to the district board with executive functions with the resultant expenditure on establishment and travelling allowances. Moreover it stands to reason that the authority which finds the money should also have the right to decide how and where it should be spent.

"As to the taking over of the remaining hospitals by the Government, I must say that it would mean a very large commitment on Provincial revenues which cannot be thought of at the present juncture. The natural consequence of the policy of developing panchayats has now resulted in the necessity to abolish taluk boards altogether.

"In this connexion reference has been made by several speakers, more especially by my Friend, the Leader of the Opposition, that the taluk boards are suffering, just like any other institution, owing to the general world-wide financial depression, and so it is not desirable to carry out such a sweeping change, simply because taluk boards are in temporary financial difficulties. I might state for the information of my hon. Friend, that so far as the total receipts of the taluk boards are concerned, there has been no reduction, or at least no substantial reduction, either by the Amending Act of 1930, or by the coming into force of the Madras Motor Vehicles Taxation Act, or by the present financial depression. I might say, within a margin of 5 per cent, the income of the various taluk boards remains the same. None of the hon. Members have met my argument. It is but natural that when more panchayats are created, you will be automatically reducing the income of taluk boards. One of the reasons for the present financial difficulty is the increase in the number of panchayats, and another reason is the abnormal fall in tolls which have been abolished under the Act. It has naturally increased the establishment charges to a great extent, and leaves nearly 108 taluk boards little or no money to provide for any return to the tax-payer by way of public amenities. It will therefore seem that we are doing this as an expedient to get over the temporary difficulty. But as a matter of fact this will be a permanent financial difficulty. Of course it is very simple to suggest

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that Government should make good the financial deficit. I shall read some of the grants which local bodies have been receiving from Government during the years from 1927 to 1932—

					LAKHS.
1927-28	District boards	...	...	...	59
1928-29	Do.	...	...	...	55
1929-30	Do.	...	...	...	66
1930-31	Do.	...	...	...	91
1931-32	Do.	...	...	...	75

“ Then with regard to the taluk boards the following figures will show the amount of grant received :—

					LAKHS.
1927-28	Taluk boards	...	...	...	63
1928-29	Do.	...	...	...	69
1929-30	Do.	...	...	...	73
1930-31	Do.	...	...	...	75
1931-32	Do.	...	...	...	73

“ It will thus be seen that Government have not neglected the interests of the taluk boards. But the main fact still remains, whether the money is raised directly by taluk boards, or whether it comes from Provincial revenues, it is the general tax-payer who has to foot the bill. I cannot therefore subscribe myself to the proposition that taluk boards should be maintained, to serve as training grounds for people in the art of local self-government and on that ground alone. Experience has shown that the existence of numerous local bodies with regional authority does not necessarily result in developing the civic sense. I fail to see how it is undemocratic and retrograde if we have one local board of manageable dimensions to do the work of several taluk boards. Although there are brilliant exceptions, the administration of the taluk boards is not up to the mark, and district boards could certainly administer the public services more efficiently and economically by pooling the resources and by employing better qualified staff. Moreover there is no service now performed by a taluk board which cannot be taken over by a district board or by a panchayat. The duplication of control and overlapping of responsibilities cause a pitiable waste of public funds. Government have a higher duty to the tax-payer to perform than maintaining bankrupt local boards. The mover of the amendment has, I believe, not realized the gravity of the present financial position. When all the materials and data one could possibly gather are available to the Government, are we to allow the administration of local self-government to break down, pending the appointment of a committee to gather facts and figures, which are already there, and submit a report? This is a matter eminently for Government to undertake, and it is for the Select Committee, which is

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fully representative of all sides of the House, to come to final conclusions without further loss of time. I am not unaware that we are going against the wishes of certain vested interests, created by the Act of 1930, and I also realize that I am displeasing a certain number of my political friends, whose influence in the country cannot be ignored, but I am fortified in the decisions I have taken by the knowledge that the Government are not a minute too late in bringing forward these legislative proposals. It is a matter of public knowledge that the Press has generally welcomed these proposals, and that a large body of public opinion is behind me. I have received numerous letters from eminent people who are qualified to speak on the subject and who have no axe of their own to grind, stating that this is a reform in the right direction. I take the fullest responsibility for these proposals, and I am prepared to face the electorate with the utmost confidence, for I feel convinced, that, although I may cause ruffled feelings in certain quarters momentarily, the country will ultimately realize that this is a step in the right direction. (Cheers.)

"I have therefore to oppose the two dilatory amendments before the House in the confidence and belief that I will get the support and co-operation of all sides of this House in the various stages of this important measure."

MR. SAMI VENKATACHALAM CHETTI:—"Mr. President, Sir, we have listened to a very bold speech, the courage of which remains to be tested in due course.

"I should like at the very outset to disabuse the mind of the hon. the Chief Minister with regard to my position in this matter. Sir, he has accused me of trying to indulge in dilatory tactics and also in personal attacks. With regard to the first charge, it is easy for the hon. Chief Minister to think so, because it is easy, Sir, that every counsel of wisdom is likely to be misunderstood in that way. I suppose the hon. Minister will admit that I have absolutely no vested interest to be injured by the abolition of the taluk boards. Therefore, if I supported the motion for the appointment of a committee to inquire into the condition of these local bodies with a view to set them up on a better footing, it was not with an intention to obstruct the passage of a Bill on which he seems to have set his heart but only with the view that in the re-arrangement of self-governing institutions of this Presidency, others interested in that branch of political training also must have some share. I hope in so far as that part is concerned, I have attempted to convince him of my anxiety and motive in that matter.

"With regard to The question of personal attack, there again I have got to say that I am thoroughly misunderstood. Sir, I love the English language and the English constitution for two reasons. The reason why I love the English language I need not say. So far as the English constitution is concerned, I like it because that constitution allows the most recriminating attacks across the

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table and yet leaves no malicious impression in the minds of those who exchange hot words against each other. If the way in which I used English language had been responsible for any misunderstanding that I was making a personal attack against the hon. the Chief Minister or for that matter on any hon. Member of this House, I can only say that I have got to get my language trimmed in such a way as it might appear genial, as it had been done by my hon. Friend, Mr. Smith, this morning (laughter). With this preliminary remark I may now go into the question of the abolition of taluk boards. I feel that it must have struck rather significant not only on the attention of the hon. the Chief Minister but also on the attention of Mr. Langley that those who have spoken from behind the Government Benches have rather spoken against the Bill. Mr. Muniswami Pillai in whose district there are no taluk boards for abolition spoke in favour of the Bill. Of course my hon. Friend, Mr. Langley, knows that his vested interests will not in any way be affected either by the abolition or by the retention of these boards. It is rather uncharitable for these gentlemen to suggest that those who opposed the abolition of taluk boards have vested interests. Is it suggested that those who spoke against the Bill are speaking so because the seats which they occupy will fall vacant on account of the abolition of these boards, and that these birds will have to seek shelter elsewhere because they will get displaced? It is really uncharitable to make any such suggestion against us. That suggestion, if properly understood, would convince anybody that every member of a local body, either a taluk board or a district board, can only argue from the point of view of his vested interests. But I ask whether it is right for district board presidents to allow any such insinuations against themselves. My hon. Friend, the Chief Minister said that, except making some sweeping suggestions here and there my remarks were not borne out by facts and figures, and that I did not speak anything constructive in my speech. It is exactly for that reason that I want the aid of a committee such as is suggested in the motion proposed by us. It is easy for the hon. Minister, being in the Secretariat, to place facts and figures which can be interpreted in any manner he wants. But those who are sitting in the opposition and who have no facts and figures, can draw their own conclusions as to the correctness or otherwise of the facts and figures placed before them by the Government. How then it happens that even my hon. Friend who has been the president of a district board for a number of years should agree with us in thinking that the taluk boards should not be abolished, although he may not vote with us. What I am anxious to point out is that, whatever may be the arguments used and the constructive suggestions put forward by Members sitting on this side of the House, that is not going to persuade Members sitting on the Treasury Bench to vote with us. What I am appealing to my hon. Friends on the other side is that it should not be considered as a party measure, and that in putting forward these arguments we are

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not in any way actuated by selfish motives. I do not know if the hon. the Chief Minister has bestowed any thought on the suggestion that we made that the financial considerations do not peculiarly apply to local boards alone but they apply to district boards also. Sir, I wish to draw the attention of this House to the remarkable passages of the Special Officer where he makes scathing indictments against the financial condition of the district boards and still that point has been entirely ignored by the hon. the Chief Minister. Much has been made of the suggestion I have made, viz., that Government must come to the rescue of these local boards. It is exactly here that I and the hon. the Chief Minister come to the parting of the ways. I consider that it is the essential duty of the Government to attend to the dangerous situation created by the local boards and rectify any mistakes which they might have committed and see that these boards discharge their duties more carefully and more efficiently. Supposing after the passing of this Act, people do not come up to the standard which the Government expect them to come in the matter of administering local self-governing institutions, will it be right to say that, because these institutions did not avail themselves of the opportunity afforded to them, their needs should not be looked into? That is the argument which the hon. the Chief Minister has failed to meet. He seems to be confident that by the abolition of the taluk boards and the re-organization of the district boards either by doubling them or by creating two for three districts he can save the situation. What he seems to think is that the Government by a mistake have gone wrong in their calculation in thinking that these boards would function efficiently and when once it is known and when Government want to rectify that mistake, it is not proper on the part of the Opposition to interfere with their decision. Even in this matter the Government are far more optimistic than what the circumstances warrant.

“I have only to answer to one or two points raised by my hon. Friend, Mr. Langley. He said that ‘so far as I have heard the earlier speeches nobody said there was any fear for panchayats.’ At the time when my hon. Friend, Mr. Muniswami Nayudu, spoke probably my hon. Friend, Mr. Langley, was not present in the House. Nobody dealt with panchayats more lucidly and more exhaustively than my hon. Friend and his authority to speak on Local Self-Government Department is even admitted by the hon. the Chief Minister. This is what my hon. Friend, Mr. Muniswami Nayudu, said:—

‘If we examine the position, what do we find? This Bill does not provide for a better machinery for the purpose of helping the panchayats themselves. There is a passage in the Government communiqué which is printed along with the Bill. It is stated that it is generally agreed that the village panchayat should be developed as the unit of Local Self-Government. We must thank the hon. the Chief Minister for this. The Government now feel that they have neglected this institution for a very long time. Taluk boards are expected to develop the panchayats. But in actual practice they are opposed to each other and experience has shown that the present system has not been conducive to the

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healthy development of village panchayats. The reasons are not given why the taluk boards have failed in this matter. Is it because they are incompetent to do the work? Is it because the funds are not utilized well? I will explain to the House the reason. There is a provision in the Bill that, wherever a panchayat is constituted, a portion of the land-cess will go to it and the balance only to the taluk boards. The result is that taluk boards are not anxious to encourage the formation and growth of panchayats. That is the reason why the panchayats are not encouraged by the taluk boards. I would like to ask the hon. the Chief Minister how he has improved the position and what he has done."

Mr. W. K. M. LANGLEY:—"May I venture to point out, Sir, that I was in the House during the whole speech of my hon. Friend Mr. Muniswami Nayudu; so it hardly seems necessary for my hon. Friend to read the speech out a second time."

Mr. SAMI VENKATACHALAM CHETTI:—"But he said that he came to the conclusion that so far as the earlier part of the speech was concerned there was no reference to panchayats. I should think there is something wrong somewhere. Sir, I wish only to refer to one or two minor points which have been referred to by the hon. the Chief Minister. He said that public opinion is entirely with him. I am afraid, whatever might have been the inference which he has drawn from the current of public opinion, in so far as those gentlemen who are said to represent public opinion are concerned, they are decidedly not in his favour except in voting. Even such a conservative Member as the Raja of Khallikote was not in his favour. The hon. the Chief Minister thought that I was making rather a hasty remark by my experience of a particular road in the Venkatagiri area and that the condition of roads in other parts of the Presidency is not so bad. I was only mentioning it as an illustration of lack of facilities in particular localities. If certain institutions are placed at very long distances from areas which these institutions serve, then the attention which these areas are entitled to becomes very meagre. It was with a view to see that there must be a local institution of the Local Self-Government Department to attend to local requirements that I said that taluk boards should be placed on a better footing. I can only repeat that I have absolutely no idea of employing obstructive tactics. The only thing that we have to see is that we should have before us all facts and figures before we pass any such measure and that we should not be accused of hastiness in the matter of legislation which affects the whole organization of the Local Self-Government Department."

* The hon. the PRESIDENT:—"I will put the two motions (1) of Mr. Sami Venkatachalam Chetti and (2) of Mr. Basheer Ahmed to the vote of the House."

"The first question is 'that the consideration of the Madras Local Boards Act (Amending) Bill be deferred pending a report of an Enquiry Committee of the condition of the local bodies and the recommendations to improve and place them on a sound financial footing'. The motion was declared lost."

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A poll was demanded and the House divided thus:

Ayes.

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| 1 Dr. P. Subbarayan. | 17 Diwan Bahadur B. Muniswami Nayudu. |
| 2 Mr. K. R. Venkatarama Ayyar. | 18 Mr. K. P. Raman Menon. |
| 3 " T. C. Srinivasa Ayyangar. | 19 Diwan Bahadur C. S. Ratnasabhapati Mudaliyar. |
| 4 " Sami Venkatachalam Chetti. | 20 Mr. M. S. Sreshta. |
| 5 " A. Pl. N. V. Nadimuthu Pillai. | 21 " P. V. Krishnayya Choudari. |
| 6 " V. T. Arasu. | 22 Zamindar of Chemudu. |
| 7 " A. B. Shetty. | 23 Mr. C. Indrayya. |
| 8 Rao Bahadur P. C. Muthu Chettiyar. | 24 " Mr. J. Kuppaswami Choudari. |
| 9 " Abdul Hameed Khan. | 25 " Mahaboob Ali Baig. |
| 10 " U. C. Subrahmanya Bhatt. | 26 " G. R. Premayya. |
| 11 " K. P. V. S. Muhammad Meera Ravuttar. | 27 " K. Pattabhiramayya. |
| 12 " K. A. Nachiyappa Gounder. | 28 " P. M. Thangal. |
| 13 " K. S. Sivasubrahmanya Ayyar. | 29 Rao Bahadur R. K. Venugopal Nayudu. |
| 14 " P. Peddi Raju. | |
| 15 " K. Singam Ayyangar. | |
| 16 Khan Bahadur P. Khalif-ul-lah Sahib Bahadur. | |

Noes.

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| 1 The hon. Khan Bahadur Sir Mahomed Usman. | 31 Mr. G. Sriramulu. |
| 2 " Diwan Bahadur Sir M. Krishnan Nayar. | 32 " P. C. Moses. |
| 3 " Sir Archibald Campbell. | 33 " P. V. Rajagopal Pillai. |
| 4 " Sir Hopetoun Stokes. | 34 " V. G. Vasudeva Pillai. |
| 5 " Diwan Bahadur S. Kumaraswami Reddiyar. | 35 " W. P. A. Soundara Pandiyan. |
| 6 " Mr. P. T. Rajan. | 36 " P. Bayappa Reddi. |
| 7 " the Raja of Bobbili. | 37 " A. McG. C. Tampoe. |
| 8 Rao Bahadur G. Jagannatha Raju. | 38 Khan Bahadur T. M. Moidoo Sahib Bahadur. |
| 9 Mrs. K. Alamelumangathayaramma. | 39 Mr. P. K. Ramachandra Pada-yachi. |
| 10 Diwan Bahadur V. N. Viswanath Rao. | 40 " G. Lakshmana Reddi. |
| 11 Mr. J. A. Thorne. | 41 Rao Sahib V. Dharmalingam Pillai. |
| 12 " H. M. Hood. | 42 Kumararaja of Venkatagiri. |
| 13 Diwan Bahadur N. Gopalaswami Ayyangar. | 43 Raja of Khallikote. |
| 14 Mr. R. Madanagopal Nayudu. | 44 Zamindar of Mirzapuram. |
| 15 " E. Conran Smith. | 45 Mr. M. A. Muthiah Chettiyar. |
| 16 " T. Sundararao Nayudu. | 46 " A. V. Bhanoji Rao. |
| 17 Khan Sahib Syed Tajuddin Sahib Bahadur. | 47 " K. M. Doraiswami Reddiyar. |
| 18 Mr. M. D. T. Ranganatha Mudaliyar. | 48 " Daniel Thomas. |
| 19 " V. M. Ramaswami Mudaliyar. | 49 Swami A. S. Sahajanandam. |
| 20 " T. Narasa Reddi. | 50 Mr. H. M. Jagannetham. |
| 21 Rao Bahadur A. T. Pannirselvam. | 51 Rao Bahadur D. Krishnamurti. |
| 22 Mr. K. C. M. Venkatachala Reddiyar. | 52 Rao Bahadur P. Subrahmanyam Chetti. |
| 23 " G. Ranganatha Mudaliyar. | 53 Mr. S. A. A. Annamalai Chettiyar. |
| 24 " M. Devadasan. | 54 Diwan Bahadur A. Appadurai Pillai. |
| 25 Rao Sahib N. Siva Raj. | 55 Rao Sahib D. V. Narasimhaswami. |
| 26 Subadar Major S. A. Nanjappa Bahadur. | 56 Rao Sahib Pandit Ganala Ramamurti. |
| 27 Rao Bahadur R. Srinivasan. | 57 Mr. A. Harischandrudu. |
| 28 Rao Sahib V. I. Muniswami Pillai. | 58 " K. Kesavaramamurti Nayudu. |
| 29 Mr. M. Vedachala Mudaliyar. | 59 " S. M. K. Beyabani. |
| 30 " B. P. Sessa Reddi. | 60 " A. Ramakrishna Reddi. |
| | 61 " A. Ranganatha Mudaliyar. |
| | 62 " C. R. Parthasarathi Ayyangar. |
| | 63 " K. Koti Reddi. |
| | 64 Rao Bahadur Sir A. P. Patro. |
| | 65 Rao Bahadur C. Natesa Mudaliyar. |

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Noes—cont.

66 Raja of Parlakimedi.	72 Mr. J. K. Metherell.
67 Mr. M. B. Rangaswami Reddi.	73 „ W. K. M. Langley.
68 Diwan Bahadur S. Ellappa Chetti- tiyar.	74 „ W. W. Ladden.
69 Mr. C. Basu Dev.	75 „ R. Foulkes.
70 „ R. M. Palat.	76 Rao Bahadur T. M. Narayanaswami Pillai.
71 „ F. Birley.	77 Mr. G. Simhachalam Pantulu.

Neutral.

1 Mr. C. Krishnan.

2 Mr. M. A. Manikkavelu Nayakar.

Ayes 29. Noes 77. Neutral 2.

The motion was lost.

The hon. the PRESIDENT:—“ The second question is that ‘ the Bill be circulated for public opinion and that such opinion when obtained shall be placed before the House with the remarks of the Government thereon ’.

The motion was lost.

The hon. the PRESIDENT:—“ The second question is that ‘ the Bill to amend the Madras Local Boards Act, 1920, and the Madras Elementary Education Act, 1920, for certain purposes (Bill No. 2 of 1934), be referred to a Select Committee, that the following Members do constitute the Select Committee and that Standing Order No. 39 (2) be suspended ’:—

- (1) The Kumararaja of Venkatagiri.
- (2) Mr. W. K. M. Langley.
- (3) Mr. P. Bayappa Reddi.
- (4) Rao Sahib N. Siva Raj.
- (5) Raja of Khallikote.
- (6) Diwan Bahadur A. Appadurai Pillai.
- (7) Mr. M. A. Muthiah Chettiyar.
- (8) Rao Bahadur G. Jagannatha Raju.
- (9) Mr. M. B. Rangaswami Reddi.
- (10) Mr. V. P. Narayanan Nambiyar.
- (11) Rao Sahib C. Jayaram Nayudu.
- (12) Mr. A. Ranganatha Mudaliyar.
- (13) Mr. R. M. Palat.
- (14) Diwan Bahadur B. Muniswami Nayudu.
- (15) Mr. P. V. Krishnayya Choudari.
- (16) Diwan Bahadur C. S. Ratnasabhapati Mudaliyar.
- (17) Mr. T. C. Srinivasa Ayyangar.
- (18) Dr. P. Subbarayan.
- (19) Khan Bahadur Mahmud Schamnad Sahib Bahadur.
- (20) Pattagar of Palayakottai.
- (21) Mr. A. B. Shetty.
- (22) Khan Bahadur Yahya Ali Sahib Bahadur.
- (23) Mr. A. McG. C. Tampoe.
- (24) Mr. E. Conran Smith.
- (25) Rao Bahadur A. T. Pannirselvam.
- (26) Rao Bahadur T. A. Ramalingam Chettiyar.

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- (27) Rao Bahadur C. Natesa Mudaliyar.
- (28) Diwan Bahadur S. Ellappa Chettiyar.
- (29) Mr. V. M. Ramaswami Mudaliyar.
- (30) Sriman M. G. Patnaik Mahasayo.
- (31) Mr. P. Peddi Raju.
- (32) Rao Bahadur Sir A. P. Patro.
- (33) Khan Sahib Syed Tajuddin Sahib Bahadur.
- (34) Mr. G. Ranganatha Mudaliyar.
- (35) Mr. P. K. Ramachandra Padayachi.
- (36) Mr. A. Pl. N. V. Nadimuthu Pillai.
- (37) Mr. M. A. Manikkavelu Nayakar.
- (38) Diwan Bahadur M. Gopalaswami Mudaliyar.
- (39) Mr. K. Koti Reddi.
- (40) Rao Sahib V. I. Muniswami Pillai.
- (41) Basheer Ahmed Sayeed Sahib Bahadur.
- (42) The hon. the Raja of Bobbili (the Mover)."

The motion was carried.

Mr. G. R. PREMAYYA :—“ Mr. President, I understand that Moses's Bill also is going to be referred to the same Select Committee. I therefore propose that his name also may be added to the list.”

* The hon. the PRESIDENT :—“ It is too late.”

Mr. G. SIMHACHALAM PANTULU :—“ Mr. President, Sir, in view of the statement made by the hon. the Chief Minister, I do not wish to press my amendment *.”

* Dr. P. SUBBARAYAN :—“ Mr. President, Sir, I move—

‘ that it be an instruction to the Select Committee—

- “ (1) to consider the desirability of retaining intermediary boards in some form; and*
- (2) also to consider the question of vesting the executive powers of the district board in an executive officer as has been done with regard to district municipalities ”.*

“ Sir, few words are needed from me to commend this motion to the acceptance of the House. I take it that the hon. the Chief Minister himself does feel that there is some necessity for intermediary boards although he has not made up his mind as to whether it should be a joint committee composed of members of panchayats and members of district boards or some other institution. I only want that power should be vested in the Select Committee to consider this question, so that if, after consideration, they feel that some intermediate boards are necessary, they may not be prevented from making suitable amendments.

* Mr. G. SIMHACHALAM PANTULU will move :—

“ That it be an instruction to the Select Committee to consider the possibility—

- (i) for re-amalgamating the recently reconstituted taluk boards,
- (ii) decreasing the number of newly constituted village panchayat boards.
- (iii) entrusting the District Educational Councils with Elementary education and with necessary modifications.”

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“As regards the second point, my hon. Friend, Diwan Bahadur Muniswami Nayudu, has already referred to it at length in his speech on the introduction of the Bill. Both he and I feel that it is necessary to have powers vested in such executive officers in the same way as it has been done with regard to district municipalities. As the provisions contained in the Bill, as it stands, do not vest such powers in executive officers, those who may be appointed by the Government would only be glorified secretaries to the district board. As the Government have already approved of the principle that executive officers should have real power in the case of district municipalities, I hope the hon. the Chief Minister will have no difficulty in accepting this recommendation to the Select Committee, as I believe his intention when he introduced this measure was that such powers should vest in executive officers and they should have the same functions with regard to district boards as executive officers now exercise with regard to the municipalities to which they have been appointed.

“Before I sit down, Mr. President, I hope you will allow me to make a personal explanation with regard to what the Raja of Khallikote said. I said I was reminded of the old proverb that there are some people in the world who cannot be defended against themselves. I never ought to have defended him. My hon. Friend does not want to be defended and I do not propose to defend him. He evidently wanted to show his wrath on me with regard to the new taluk boards.”

RAJA OF KHALLIKOTE:—“Not on you.”

Dr. P. SUBBARAYAN:—“Then perhaps he wants to throw the blame on Mr. Conran Smith who is not here and as I am bodily present, he wants to let me alone. Anyhow, I thank my hon. Friend, the Raja of Khallikote, and I shall not rush in to defend anybody who is not prepared to be defended.”

Diwan Bahadur B. MUNISWAMI NAYUDU:—“I second it. As I understand the speech of the hon. the Chief Minister, I think he will be prepared to have these questions discussed in the Select Committee. If the Select Committee does not agree with any of these points, then there will be no difficulty at all. But if the Select Committee, after examining these questions, comes to the conclusion that some provisions are necessary in the Bill to give effect to those points, the Council will be precluded from giving effect to the desire of the Select Committee. It is with a view to remove that difficulty that it is now proposed to give these instructions to the Select Committee.”

Mr. K. KOTI REDDI:—“Mr. President, if I voted against Mr. Sami Venkatachalam Chetti's amendment and voted in favour of the motion to refer the Bill to a Select Committee, it was because, though I was not convinced that there would be much of a financial saving as a result of the abolition of taluk boards, I thought that the time had come when there was no necessity to maintain intermediate bodies like the taluk boards between district boards and panchayats. With regard to the

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development of panchayats and their extension, many misapprehensions have been expressed in this Council. It has been said that panchayats are torn with factions and under the present circumstances it will not be desirable to develop and extend them. Although I am one of those who think that radical reforms should be made in the elections to panchayats by the introduction of single member constituencies and so on, and that unless those reforms are made, the factions are bound to increase, still, I believe that the time has come when an attempt ought to be made to develop the panchayats and increase their number.

4-45
p.m.

“ Another consideration which prompted me to vote in favour of the motion of the hon. the Chief Minister is the desirability of having an executive officer. I would express my feelings of gratitude to those honorary men like the presidents of taluk boards and of district boards and of the panchayat boards, for the honorary work they have done so far and which they are willing to do still. A state of affairs with regard to the administration of local boards has come into existence which requires a radical change in the administration of the Local Self-Governing bodies. There are many honest and sincere presidents of these local bodies who are finding it very difficult to administer the affairs of local bodies to their own satisfaction and in the best interests of the local bodies themselves. There are many matters in which the discretion of the presidents of local bodies is bound to be influenced by various considerations in very undesirable channels. It is not the fault of the presidents. There will be many bad presidents of local bodies; there are a few of them who are not above pecuniary or other sordid considerations in the administration of local bodies. At the same time one has to admit that there are a number of presidents of local bodies who are really honest and who carry on the administration of these local bodies honestly and sincerely. Somehow or other, dishonest presidents seem to be getting on very well. One of the directions in which I have been advocating reform in connexion with this matter is this; I am very intimately acquainted with the affairs of one board though I am not on the board. That one instance is enough to convince me that some radical change is necessary in the administration of local boards. If some members enter into these local bodies, it is more with a view to secure some contract or other and nothing else. What would the poor president do? Unless he gives contracts to these members, he has always the fear of a no-confidence motion being brought against him. He has to undergo a lot of difficulty in allotting these contracts between the various members of his own party. I am not blaming the poor district board presidents. On the other hand, I am sympathizing with the position of the honest district board presidents and trying to help them. On account of the discretion that is vested in the president, he is bound to exercise it in favour of one or other member of his party. When he exercises his discretion in favour of one member of his party, the other members of the party misunderstand him. Each member of

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the party thinks that he has not got as many contracts as another member of the party, and he is dissatisfied. Some time ago, I sent a memorandum on this subject to the Government. I did not publish it in the papers; I do not believe much in publicity. I sent my memorandum to my hon. Friend, Mr. Muniswami Nayudu, when he was Chief Minister. I do not know what consideration the Government have given to my memorandum. I suggested some safeguards, and I have no time to detail them. If contracts were given invariably to the lowest tender without the least discretion, the trouble would be minimised. No doubt the Government have issued instructions. But I do not think that those instructions are enough. The president of a local body has still some discretion in the matter of giving contracts and therefore the trouble is there. If the Government cannot move in this direction and accept my proposal of making it obligatory on the part of the presidents of local bodies to accept contracts on the lowest tender, the only other solution that I would offer is the appointment of executive officers for these local bodies with sufficient independent powers, uncontrolled in some clearly defined directions by presidents of local bodies. If I want an official, it is not because I have much more faith in officials. Some of them are very honest; there are a fair number of officials who are not above the considerations I referred to above. If there is bribery or corruption among the presidents of local bodies, there may be some excuse or justification. But with regard to officials, there can be no justification at all. In the matter of appointing executive officers for the local bodies the hon. the Chief Minister must exercise very careful consideration and select capable officers. In this respect, I should appeal to the reserved half to lend to the hon. the Chief Minister honest officials, men who have proved themselves to be thoroughly honest and reliable and not men whom they want to reject, because there is something against them. We want executive officers who will be above all these petty considerations. Unless the right sort of executive officers are appointed, it would only be adding to the list of officers with high salary. In this direction and in many others, the discretion of the presidents of local bodies ought to be fettered in the interests of the proper administration of these local bodies. There are a number of directions in which executive officers can exercise independent powers without the interference of the presidents of local bodies. One direction in which the Government can entrust independent powers to executive officers is in the matter of contracts.

“ There is another direction in which executive officers can be given independent powers without being fettered by the control of the Presidents of local bodies. It is in the matter of assessing professional tax. If I am a president of a local body and if a rich and influential man comes and asks me to reduce his assessment or taxes, it would be very difficult for me to refuse him if I want to continue as president for a second time. He may be a man of great influence and the president of a local body would find it very delicate to assess properly in

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such cases. If the power of assessing and taxing people is left to be discharged by an executive officer who need not depend upon the votes of the members of the local bodies, he can discharge that work satisfactorily. This is one of the duties—there are many others—which can be entrusted to executive officers without being interfered with by presidents. I am not certain whether there are provisions in this Bill dealing with these points. It seems to me that the hon. the Chief Minister thinks that the time has come when it would be necessary to have executive officers for these local bodies. If executive officers are appointed, they must have absolute power in certain respects; they must have clearly demarked independent functions.

“I think there would be some difficulty if both the amendments are put to vote together. There will be some persons who may be against amendment No. 1 but who may be in favour of amendment No. 2 and *vice versa*. I suggest that votes may be taken separately on the amendments.”

* The hon. the PRESIDENT:—“If it is the desire of the House to go on with the discussion of this amendment, we can put it off till Monday.”

Diwan Bahadur B. MUNISWAMI NAYUDU:—“It is not our desire, Sir. It is for the Government to say yes or no. This is a matter which they may allow us to discuss at the Select Committee.”

* The hon. the RAJA OF BOBBILI:—“Sir, with regard to the desirability of retaining the intermediate boards in some form or another, the hon. the Leader of the Opposition stated that the Government were not definite in their opinion and that they had not come to any conclusions”

Dr. P. SUBBARAYAN:—“Sir, I know that the hon. the Chief Minister was against intermediate boards; some of the Members are in favour of such boards which will co-ordinate the work of the panchayats. I think power can be given to bring in this point before the Select Committee. I never meant that the hon. the Chief Minister was indefinite in his views; I know he has definite views in this matter.”

The hon. the RAJA OF BOBBILI:—“Sir, I am sorry there has been misunderstanding on this point. As regards the general debate, the hon. the Leader of the Opposition thinks it is desirable to give necessary scope for the discussion of the various alternatives in the Select Committee. As far as this proposal is concerned, I have clearly stated that they have got ample powers under the existing Act to constitute joint committees. I consider that giving instructions to the Select Committee would only result in confusion and affect the main principle of the Bill which aims at the abolition of the taluk boards. I am afraid that it will not serve the purpose for which the Bill is intended. It will give scope for numerous proposals being put forward for introducing taluk boards in another name. Therefore I wish to oppose amendment No. 1. As regards amendment No. 2, in the present Bill we have no scheme for introducing executive officers on the lines of the District

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Municipalities Act. As has been rightly pointed by my hon. Friend Mr. Muniswami Nayudu, the executive officer to be appointed for these local bodies is not in the same position as the commissioner of a municipality. Our idea was that some sort of uniformity might be introduced, as many district boards had varying scales of pay for their secretaries.

“As regards the other instruction which is sought to be given to the 5 p.m. Select Committee for amending the Act suitably on the lines of the recent amendment to the District Municipalities Act, I feel, Sir, that it is necessary to have a separate Bill on this subject, and that it will not be possible to introduce such far-reaching changes now. Further, I do not wish to make any secret of the fact that, although such a change will be necessary, sufficient time should elapse to see how far the experiment that is being tried in the case of the municipalities has been successful; in other words, some more time is required to see how the appointment of commissioners for municipalities will work. After satisfying ourselves with regard to its success, we will follow with the necessary Bill to extend that principle in the case of the district boards. I may also state without any mental reservation that from the way in which the Opposition has dealt with the Government Bill, it would be better in the interests of the Government to see that a smooth passage is assured in the Council in the further stages of the Bill, and I therefore do not wish to complicate matters by introducing further new questions into the subject. I accordingly oppose the motion.”

* The hon. the PRESIDENT:—“I shall now put the motion to the vote of the House. The question is—

‘that it be an instruction to the Select Committee—

- (1) *to consider the desirability of retaining intermediary boards in some form; and*
- (2) *also to consider the question of vesting the executive powers of the district board in an executive officer as has been done with regard to district municipalities.’ ”*

The motion was lost.

* Mr. M. DEVADASAN:—“Mr. President, Sir, I move the motion standing in my name—

‘that it be an instruction to the Select Committee that they consider the provisions of the Bill further to amend the Madras Local Boards Act, 1920, of Mr. Moses and embody into this Bill such of the provisions of Mr. Moses’s Bill as they may consider desirable.’

In moving this motion, I wish to make a few observations. The principle of equal opportunities for all in the services under the local boards was discussed only yesterday and accepted by the Council. Mr. Moses introduced a Bill some time ago embodying this principle.”

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Mr. SAMI VENKATACHALAM CHETTI:—"On a point of order, Mr. President. We do not know what the provisions of that Bill are, excepting the appellation 'Moses's Bill.' I think it is a tall order, Sir, to ask this House to vote for a motion of this sort, to instruct the Select Committee to deal with all the provisions contained in a Bill which has not been published and which is not known to most of the hon. Members here. I beg, Sir, that the rights of the House may be protected by your disallowing this motion."

* The hon. the PRESIDENT:—"I thought the hon. Member, Mr. Devadasan, would be explaining the principles of that Bill and to utilize a compendious term probably, he used the words 'Moses's Bill'. I think Mr. Moses' Bill was introduced on the 30th of last month."

Mr. M. DEVADASAN:—"It is a Bill to amend the Madras Local Boards Act, introduced by Mr. Moses, which embodies this principle of representation of all communities in the services of the local boards. There is no mistake about the object of that Bill."

"My Friend, Mr. Sami Venkatachalam Chetti, raised an objection that the Bill was not published in the Gazette. I desire to point out to him that it would be a great saving of time if the provisions of that Bill also are considered by this Select Committee even now. A Select Committee which is to consist of 42 members can very well go into the question of the communal principle as well as the other provisions of this Bill relating to the abolition of taluk boards. We are now referring the Bill to amend the Local Boards Act to a Select Committee for considering the question of the abolition of taluk boards; and instead of having separate committees on separate Bills, I am sure it will be better to have one Committee to go into all connected questions and consider the provisions contained in a Bill introduced by another hon. Member. I request, at the same time, Sir, that the Bill introduced by Mr. Moses may be treated as an official Bill and added on to the official Bill now before us."

Rao Bahadur A. T. PANNIRSELVAM:—"Sir, I have great pleasure in seconding this motion of Mr. Devadasan. If this is accepted, I can tell Mr. Venkatachalam Chetti that it will carry us no further than the desire that he himself expressed in his speech yesterday when we had a discussion over the question of recruitment to services under local bodies, of communal representation. The Government are now going to take powers to frame rules regulating the recruitment to services and also for prescribing qualifications and things like that. This will enable the Committee to consider the desirability or possibility of so amending the Act as to give the Government the power also to incorporate the principle underlying the communal Government Order. It does not take us any further than that. This will enable us to get over the objection which the hon. the Raja of Bobbili pointed out yesterday that under the Act as it is, the Government were advised that it would not be possible for a local board to frame any rules in the matter of recruitment

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on a communal basis. Mr. Moses's Bill would only enable the local bodies to do that. That is the only object underlying the Bill of Mr. Moses. Therefore, Sir, I think it would not be foreign to the main principles accepted by this House, and I hope that this motion will be accepted."

* The hon. the RAJA OF BOBBILI:—"Yesterday, Sir, this Council discussed at length a resolution which stated that the communal Government Order stated in that resolution should be applied to the services under local bodies; and from the opinions expressed on all sides of the House, I felt that there was unanimity of opinion that such a step should be undertaken. I consider, Sir, that the present is a suitable opportunity for attaining that object immediately. I also note that yesterday an amendment was carried that 'immediate steps' should be taken. I hope that all sides of the House would see no objection to this proposal."

Mr. SAMI VENKATACHALAM CHETTI:—"May I suggest, Sir, that the matter be taken up on Monday? I do not think it is so simple as the hon. the Chief Minister thinks. No doubt everybody is in agreement with him in giving effect to the object which the hon. Mover of that motion had; but from my own point of view, I feel, as I said in connexion with the resolution, that the local bodies have already got that power at present, and it would be sheer interference on the part of the Government to say that they have no power. I do not know what the basis of the legal opinion is; and unless that opinion is made available to the hon. Members of this House, it is impossible to say that the local bodies have no such power. Apart from that, if communal representation is to be given statutory recognition in an Act, it would lead to this: suppose in an institution where it is possible to recruit officers from only one community—and that the majority community—by the introduction of communal rotation, it would mean that the offices in that institution which would naturally belong to a particular community, either on the ground of efficiency or merit or numbers in that locality, would have to be split up amongst several communities, which may after all prove not quite so advantageous as the hon. the Mover at present supposes. Whatever that may be, Sir, I do not know if the hon. the Chief Minister is going to take up the responsibility of saying that this is a very small matter and therefore it can be easily put into the other Bill. The abolition of the taluk boards is by itself a controversial matter, and in spite of the fact that 42 members have been appointed to the Select Committee, it may not be possible to have that Bill ready for discussion in the Council at the February or March meeting; and if this Bill also is going to be added on to it, probably it would retard the progress of the main Bill and would even frustrate the object which the hon. the Minister has in seeing that the taluk boards are abolished at the earliest possible moment. At any rate, Sir, I beg that the House might be given more time to discuss this matter before it is allowed to be decided upon by the Council."

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* Mr. A. RANGANATHA MUDALIYAR :—“ I understand, Sir, that the principles underlying the Bill introduced by Mr. Moses were adopted by this House yesterday in a resolution which was carried, and that it also stated that ‘ steps should be taken immediately ’ to give effect to the communal principle. Having done so, I do not know whether it is necessary to consider the question again to-day in connexion with another Bill. That a policy of that kind should find place in an Act is, I think, Sir, a step which every one should object to. I do not think that Mr. Moses’s Bill should be taken into consideration now, as part of the Bill which we have just now referred to a Select Committee.”

* The hon. the PRESIDENT :—“ I think the House is ready for a vote. The question is—

‘ that it be an instruction to the Select Committee that they consider the provisions of the Bill further to amend the Madras Local Boards Act of 1920 of Mr. Moses and embody into this Bill such of the provisions of Mr. Moses’s Bill as they may consider desirable ’.”

The motion was carried.

Mr. G. R. PREMAYYA :—“ I think I will be in order, Sir, if I propose that Mr. Moses’s name also be added on to the Select Committee.”

* The hon. the PRESIDENT :—“ The hon. Member is not at all in order in doing it now.

“ I appoint Rao Bahadur Jagannatha Raju, Deputy President, as the Chairman of the Select Committee.”

The House then adjourned to meet again at 11 a.m. on Monday, the 5th February 1934.

R. V. KRISHNA AYYAR,
Secretary to the Legislative Council.

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TRUTH ALONE TRIUMPHS